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25 HARTFORD LIFE AND ACCIDENT INSURANCE
26 COMPANY

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28 UNITED STATES DISTRICT COURT

1 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

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3 DANIEL HEMENEZ,

4 Plaintiff,

5 v.

6 HARTFORD LIFE AND ACCIDENT
7 INSURANCE CO., HARTFORD LIFE
8 AND ACCIDENT INSURANCE CO.
9 GROUP INSURANCE POLICY, C&H
10 SUGAR COMPANY, INC., and C&H
11 SALARIED EMPLOYEES BENEFIT
12 PLAN,

13 Defendants.

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16 CASE NO. 05-03965 WHA

17 **STIPULATION AND [PROPOSED]
18 ORDER TO DISMISS DEFENDANT C&H
19 SUGAR COMPANY, INC.**

1 Plaintiff Daniel Hemenez (“Hemenez”) and defendant Hartford Life and Accident
2 Insurance Company (“Hartford”), by and through their attorneys of record, hereby STIPULATE
3 and AGREE that defendant C&H Sugar Company, Inc. (“C&H”) may be dismissed without
4 prejudice from the above entitled action brought by Hemenez for the recovery of long term
5 disability benefits under C&H’s employee welfare benefit plan governed by the Employee
6 Retirement Income Security Act (“ERISA”). C&H’s long term disability plan, which is the
7 subject of Hemenez’s action, is insured under a group long term disability policy issued by
8 Hartford.

9 IT IS SO AGREED AND STIPULATED.

10 DATED: November 14, 2005 THE BRANDI LAW FIRM

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12 By: s/Brian J. Malloy
13 THOMAS J. BRANDI
TERENCE D. EDWARDS
BRIAN J. MALLOY
14 Attorneys for Plaintiff
DANIEL HEMENEZ
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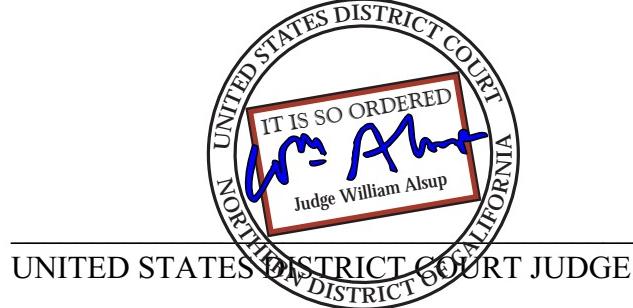
16 DATED: November 14, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

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18 By:s/Michelle Y. McIsaac
19 DENNIS G. ROLSTAD
MICHELLE Y. MCISAAC
20 Attorneys for Defendant
HARTFORD LIFE AND ACCIDENT INSURANCE
COMPANY
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22 IT IS SO ORDERED.

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24 Dated: November 15, 2005



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